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STATE FOR EAP/ANP AND EUR/SCE

E.O. 12958: DECL: 10/06/2018

TAGS: PREL KJUS NZ

SUBJECT: NEW ZEALAND AND THE SERBIAN ICJ RESOLUTION

REF: STATE 105796

Classified By: Charge d'Affaires, David J. Keegan, Reason: 1.4 (b) and (d)

¶1. (C) In an October 6 meeting with Ministry of Foreign Affairs and Trade Deputy Secretary Caroline Forsyth and European Affairs Division policy officer Rob Little, Charge d'Affaires Keegan summarized the points in reftel. He noted that the USG position remains that referring the question of Kosovo independence to the International Court of Justice (ICJ) is a distraction and that ultimately, the independence declaration will be deemed legally sound. The USG will vote no on the UNGA resolution, and he asked the MFAT officials if the GNZ had taken a decision on this matter.

¶2. (C) Forsyth responded that the GNZ is still developing its position but warned that a no vote would be highly unlikely. She promised, however, that USG points would receive full consideration. The GNZ supports the rule of law, the machinery of the United Nations and the ICJ, and does not necessarily view ICJ consideration of the case as a negative, offered Forsyth. She opined that the ICJ is capable enough to recognize the pitfalls surrounding the issue, its ramifications beyond Kosovo, and would not paint itself into a corner. The Charge asked about Serbian government contacts with the GNZ and possible motivations. Forsyth responded that the Serb President had written to the Prime Minister on the subject, and Serbian Ambassador based in Canberra had approached the New Zealand mission. The Charge noted that ICJ review of the matter will delay Kosovo's integration in the international community. Forsyth responded that the GNZ was aware of the significance of the issue, but saw that placing the matter with the ICJ offered the Serbian government a certain amount of political cover. Rob Little offered that the Serbian position, as explained to the GNZ, rested on Belgrade's desire to ensure that Kosovo's unilateral declaration was consistent with UNSCR 1244.

KEEGAN